

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GREEN PARTY OF PENNSYLVANIA,	:	CIVIL ACTION
et al.	:	
	:	
v.	:	
	:	
CAROL AICHELE, Secretary of the	:	NO. 14-3299
Commonwealth of Pennsylvania, et al.	:	

ORDER

AND NOW, this 31st day of July, 2014, upon consideration of the plaintiffs' motion for emergency temporary restraining order or emergency preliminary injunction (docket entry # 11), the stipulations of the parties and the testimony at the hearing this day, and for the reasons articulated on the record and the Court's findings of fact and conclusions of law, all made in accordance with the four-part standards our Court of Appeals articulated in McTernan v. City of York, 577 F.3d 521, 526 (3d Cir. 2009), it is hereby ORDERED that:

1. Plaintiffs' motion for emergency temporary restraining order or emergency preliminary injunction is GRANTED IN PART and DENIED IN PART;
2. Defendants Carol Aichele and Jonathan M. Marks are ENJOINED from enforcing the "In-State Witness Requirement" of 25 P.S. §2911(d) in accordance with Libertarian Party of Virginia v. Judd, 718 F.3d 308 (4th Cir. 2013);
3. Plaintiffs' motion for relief from defendants' requirement that the "Affidavit of Qualified Elector," required pursuant to 25 P.S. §2911(d), be executed in the presence of a person empowered to take acknowledgments, such as a notary, is DENIED;
4. Plaintiffs' motion for relief from the requirement pursuant to 25 P.S. §2911(d) that "different sheets . . . be used for signers resident in different counties" is DENIED;

5. Plaintiffs' motion for relief from defendants' requirement that each person signing a nomination paper pursuant to 25 P.S. §2911(c) record the year they sign is DENIED AS MOOT in accordance with defendant Marks's representation to the Court that the Commonwealth is no longer enforcing this requirement; and

6. Plaintiffs' motion for relief from defendants' requirement that qualified electors signing nomination papers pursuant to 25 P.S. §2911(a) be registered to vote on or before the day they sign plaintiffs' nomination papers is DENIED.

BY THE COURT:

/s/ Stewart Dalzell, J.
Stewart Dalzell, J.